

5

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/578,459	RICK, ROBERT	
	<b>Examiner</b>	<b>Art Unit</b>	
	KEVIN L. LEE	3753	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment filed June 11, 2007.
2. ☒ The allowed claim(s) is/are 1 and 9-11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.   |

*Kevin Lee*  
Kevin Lee  
Primary Examiner

## DETAILED ACTION

### *Examiner's Amendment*

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

It is noted that the amended claim 1 filed with the amendment of June 11, 2007 was not in proper amendment form because the additions to the claim were not underlined as required. The following change has been entered by examiner's amendment to place the application in condition for allowance.

Claim 1 has been replaced with the following claim:

Claim 1. (currently amended)

A valved cross over nozzle comprising:

a nozzle housing with a melt passage extending therethrough, a valve axis extending along said passage and a tapered valve seat in said passage extending about said valve axis;

said nozzle housing having a first housing part and a second housing part separable along said valve axis through said valve seat at a housing interface, with a first valve seat part being carried by said first housing part and a second valve seat part being carried by said second housing part;

a valve member having a tapered valve head disposed in said passage and axially movable relative to said nozzle housing between a closed configuration wherein said valve head engages said valve seat to block melt flow along said passage and an open configuration wherein said valve head is displaced from said valve seat to allow melt flow along said passage about said valve head;

said valve head having a first valve head part and a second valve head part which meet at a valve interface corresponding to said nozzle interface and at which said valve member is separable along said axis into first and second valve parts for respectively sealing said first and second nozzle parts in said closed configuration;

a valve opening actuator acting between said valve member and said nozzle housing for causing simultaneous movement of said first and second valve parts relative to said nozzle housing toward said open configuration when said first and second nozzle housing parts and first and second valve parts are joined;

a first valve closing actuator acting between said first valve part and said first housing part to bias said first valve part toward its closed configuration; and,

a second valve closing actuator acting between said second valve part and said second housing part to bias at least said second valve part toward its closed configuration [.] ;

wherein said first housing part has a base part and an outer part which are telescopically connected for relative axial movement along said valve axis;

a biasing means acts between said base part and said outer part to urge said outer part away from said base part;

Art Unit: 3753

said first valve seat part is carried by said outer part;

a first valve stem extends between and rigidly secures said first valve head part and said base part;

said first valve head part engages said first valve seat part to limit movement of said outer part away from said inner part;

said valve opening actuator causes movement of said second housing part toward said first housing part and acts against said biasing means to urge said outer part of said first housing part toward said base part in turn causing relative movement of said valve head and said valve seat to move said valve member into said open configuration;

said biasing means between said base part and said outer part of said first housing part acts as said first valve closing actuator;

a second valve stem extends between and operably connects said second valve head part with said second closing actuator; and

wherein at least a portion of said first valve stem sealingly engages said first housing part; and,

said melt passage extends along an interior of said first valve stem.

***Allowable Subject Matter***


Claims 1 and 9-11 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN L. LEE whose telephone number is (571) 272-4915. The examiner can normally be reached on MONDAY-THURSDAY.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC KEASEL can be reached on (571) 272-4929. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JUNE 23, 2007

  
Kevin Lee  
Primary Examiner